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April 7, 2023

**By ECF**

Honorable Gabriel W. Gorenstein  
United States Magistrate Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

In Re: *New York City Policing During Summer 2020 Demonstrations*,  
No. 20 Civ. 8924 (CM) (GWG)  
This filing is related to all cases

Your Honor:

I am a Senior Counsel in the Office of the Honorable Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, and I am among counsel for the defense in the above-referenced matter. Defendants write to respectfully request a two-week extension from April 10, 2023 to April 24, 2023 to respond to plaintiffs' letter to the Court filed on April 6, 2023 (Dkt. No. 924). This is defendants' first request for an extension of time to respond to plaintiffs' letter motion. Plaintiffs only consent to the abbreviated extension of April 14, 2023 while defendants are respectfully requesting an extension until April 24, 2023.

The reason the extension until April 24 2023 is necessary is due to the holidays, to confer with various NYPD personnel, and the unavailability and vacation of NYPD personnel. One of the essential members of the NYPD with whom defendants need to confer with and receive information from to properly respond to plaintiffs' letter motion will be on vacation next week from April 12 to April 14, 2023. Despite defendants explaining this, plaintiffs only consent to April 14, 2023.

Specifically, plaintiffs' position is as follows:

"Plaintiffs were willing to agree to an extension until Friday, April 14, given counsel's representation that the holidays--presumably Easter and Passover--prevented them from timely

filing their opposition. As explained to counsel, further delays in the IAB file production stand to prejudice upcoming depositions, including one scheduled April 20 for which Plaintiffs have been requesting the full IAB file without response from Defendants. Nevertheless, Defendants have refused to agree to anything less than two weeks' extension. We believe the extension Plaintiffs offered balances the Defendants' request with the need to complete paper discovery and adequate deposition preparation. Although counsel suggested that one person in the NYPD who must be consulted will be out for vacation starting April 12, counsel has not explained why that person has not been (in preparation for meet and confers) and cannot be consulted before then by anybody in the Law Department.

In short, Plaintiffs wish to reduce the prejudice already caused by Defendants' incessant delays in the production of IAB files and the risk to further delaying the fact discovery schedule, and ask that the abbreviated extension to April 14 be the only one granted."

Defendants respond by advising the Court that they have conferred with the aforementioned essential member of the NYPD who will be on vacation from April 12 to April 14. However, additional conferences will be needed with this person next week before she leaves for vacation, and the following week after she returns from vacation, as well as with other NYPD personnel, in order to properly address the multiple issues raised by plaintiffs in their application.

Thank you for your consideration herein.

Respectfully submitted,

Joseph M. Hiraoka, Jr. s/

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cc: ALL COUNSEL (via ECF)